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ences not so excepted do not exceed 10% of scheduled drills or training periods.

(c) Shall require members to (i) meet the standards of satisfactory performance of training duty set forth in § 101.6(b); or (ii) participate satisfactorily in an officer training program. The placement of such members in the Standby Reserve as a result of the screening process prescribed in 32 CFR Part 44, will continue to constitute satisfactory performance of service.

§ 101.7 Compliance measures.

Under the provisions of 32 CFR Part 100, members of the Ready Reserve who fail to meet the criteria for satisfactory performance, as set forth in § 101.6, may be:

- (a) Ordered to active duty; or
- (b) Ordered to active duty for training;

or

(c) Transferred to, or retained in the Individual Ready Reserve with a tentative characterization of service, normally under other than honorable conditions; or

(d) Discharged for unsatisfactory participation under the provisions of 32 CFR Part 41, when the Military Department concerned has determined that the individual has no potential for useful service under conditions of full mobilization.

§ 101.8 Reserve training in sovereign foreign nations.

(a) The Secretaries of the Military Departments may authorize the conduct of scheduled drills or training periods, correspondence courses, and such other active or inactive duty training as they consider appropriate for members of the Reserve components who may be temporarily residing in sovereign foreign nations which permit the United States to maintain troops of the Active Forces (other than Military Advisory Assistance Group or attached personnel) within their boundaries.

(b) Prior to authorizing such training, the Secretaries of the Military Departments will instruct the attaches representing their respective Departments to inform the U.S. Ambassador and the appropriate officials of the foreign government of the intent to conduct such training. If the foreign government objects, the Secretaries of the Military Departments will furnish all the facts and their recommendations to the Secretary of Defense.

(c) This policy does not prohibit the conduct of inactive duty training, such as correspondence courses, in those sovereign foreign countries in which the

United States does not maintain Active Forces and where an agreement exists between the United States and the sovereign foreign nation concerned for the conduct of such training.

(d) This policy does not prohibit for a limited duration the augmentation of Defense Attache Offices by attache reservists (mobilization augmentees or mobilization designees) during periods of local emergencies or for short-term (less than 30 days) training periods, provided the provisions of § 101.6(b) are respected. Attache reservists who are available, possess the expertise required, and reside temporarily in foreign countries, shall be utilized to the maximum extent to augment Defense Attache Offices before the continental United States-based attache reservists are utilized.

H. E. Lofdahl,
*Director, Correspondence and Directives,
Washington Headquarters Services,
Department of Defense.*

September 11, 1979.

[FR Doc. 79-28485 Filed 9-12-79; 8:45 am]

BILLING CODE 3810-70-M

COPYRIGHT ROYALTY TRIBUNAL

37 CFR Part 301

Agency Rules of Procedure

AGENCY: Copyright Royalty Tribunal.

ACTION: Amendment.

SUMMARY: The Copyright Royalty Tribunal is amending its regulations relating to Agency Rules of Procedure. This amendment will reduce the fees charged for the copying of Tribunal records.

EFFECTIVE DATE: September 6, 1979.

FOR FURTHER INFORMATION CONTACT: Douglas Coulter, Chairman, Copyright Royalty Tribunal, 202-653-5175.

SUPPLEMENTARY INFORMATION: Therefore, 37 CFR Part 301 is amended by revising § 301.22(c) to read as follows:

§ 301.22 Public access.

(c) Fees for copies of Tribunal records are: \$15 per page; \$10 for each hour or fraction thereof spent searching for records; \$4 for certification of each document; and the actual cost to the Tribunal for any other costs incurred.

Douglas Coulter,
Chairman.

[FR Doc. 79-28541 Filed 9-12-79; 8:45 am]

BILLING CODE 1410-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1316-4]

Approval and Promulgation of Implementation Plan Approval of Request for Extensions; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final Rule, Correction.

SUMMARY: In Federal Register Docket 79-23463 appearing on July 30, 1979, 44 FR 44497, the following corrections are made to the Code of Federal Regulations portion of the document. In the first line of Section 52.672(d), Section 52.1982(d), and Section 52.2472(d), the word "Regional" should be omitted. In addition, Section 52.1981, second line, the date should read as follows: "July 1, 1980."

FOR FURTHER INFORMATION CONTACT: Laurie Kral, Region 10, Seattle, WA. FTS 399-1226 or (206) 442-1226.

Dated: September 6, 1979.

Donald P. Dubois,
Regional Administrator.

[FR Doc. 79-28534 Filed 9-12-79; 8:45 am]

BILLING CODE 6560-01-M

GENERAL SERVICES ADMINISTRATION

41 CFR Ch. 101

[FPMR Temp. Reg. D-65]

Federal Employee Parking

AGENCY: General Services Administration.

ACTION: Temporary regulation.

SUMMARY: This regulation implements the requirements of OMB Circular A-118, Federal Employee Parking Facilities. It revises previously established assignment priorities for parking spaces, places increased emphasis on vanpooling/carpooling, and provides guidance for agencies to use in collecting parking fees from their employees and depositing them in the appropriate accounts. The intent of this regulation is to ensure that Federal employees comply with national energy conservation policies.

DATES: Effective date: November 1, 1979. Expiration date: August 15, 1980. Comments due on or before: October 1, 1979.

ADDRESS: Comments may be sent to: General Services Administration (PR), Washington, DC 20405.

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FOR FURTHER INFORMATION CONTACT: Paul H. Herndon III, Acting Director, Space Management Division, Office of Space Management (202-566-1875), or Jay Cohen, Transportation Specialist, Planning Staff (202-472-1334).

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this regulation will not impose unnecessary burdens on the economy or on individuals and, therefore, is not significant for the purposes of Executive Order 12044.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

In 41 CFR Chapter 101, the following temporary regulation is added to the appendix at the end of Subchapter D to read as follows:

Federal Property Management Regulations Temporary Regulation D-65

To: Heads of Federal agencies.

Subject: Federal employee parking.

1. **Purpose.** This regulation prescribes revised policies and procedures for the assignment of Federal employee parking spaces and the assessment of charges for the use of these spaces.

2. **Effective date.** This regulation is effective November 1, 1979.

3. **Expiration date.** This regulation expires August 15, 1980, unless sooner revised or superseded. Prior to the expiration date, a permanent regulation will be issued. (See paragraph 15, Comments.)

4. **Background.** This regulation is issued pursuant to Office of Management and Budget (OMB) Circular A-118, Federal Employee Parking Facilities.

5. **Definitions.** a. "Agency parking" means vehicle parking spaces under the jurisdiction and/or control of a Federal agency which are used for parking Government vehicles, other official vehicles, visitor vehicles, and employee vehicles.

b. "Carpool" means a group of two or more people using a motor vehicle for transportation to and from work.

c. "Employee parking" means the parking spaces assigned for the use of employee-owned vehicles other than those classified as "official parking" in subparagraph f.

d. "Federal agency" means any executive department or independent establishment in the executive branch of Government, including any wholly owned Government corporation.

e. "Handicapped employee" means a Government employee who has physical or mental impairments that substantially limit one or more major life activities and that, for all practical purposes, preclude use of public transportation. "Major life activities" means functions such as caring for oneself, performing manual tasks, walking, seeing, and hearing. Justification for this priority may require certification by an agency medical unit, including the Veterans Administration, or by the Public Health Service.

f. "Official parking" means parking spaces reserved for Government-owned or Government-leased vehicles, or for the

privately owned vehicles of Federal judges and Members of Congress, or for visitors to Federal facilities.

g. "Parking space" means the area allocated in a parking facility for the temporary storage of one passenger-carrying motor vehicle.

h. "Regular member of a carpool" means a person who travels daily (leave excepted) in a carpool for a minimum distance of 1 mile each way. In addition, an agency may define a regular member as one whose worksite is located within a specific but reasonable distance from the parking facility.

i. "Vanpool" means a group of 8 to 15 persons using a van, specifically designed to carry passengers, for transportation to and from work in a single daily round trip. This excludes automobiles and buses.

j. "Visitor parking" means parking spaces reserved for the exclusive use of visitors to Federal facilities.

6. **Policy.** a. Vehicle parking facilities to accommodate the needs of Federal agencies shall be limited to the minimum necessary to avoid impairment of Government operations and shall be administered in full compliance with carpooling regulations. Federal employees, contractor employees, and occupant employees who are provided parking in Government-controlled space shall be assessed a charge equivalent to the fair monthly rental value for the use of equivalent commercial space, subject to the terms, exemptions, and conditions stated in this regulation.

b. All vehicle parking facilities will be consistent with the character of other properties in the neighborhood and local planning requirements, will not adversely affect the use or appearance of the property, and will not constitute a traffic hazard.

7. **Priority of assignment of parking spaces.** a. Vehicle parking spaces shall first be reserved for OFFICIAL needs in the following order of priority:

(1) Mailcarrier maneuvering area and official Postal Service vehicle parking (including contract mail-hauling vehicles and private vehicles of rural carriers) at buildings containing Postal Service mailing operations.

(2) Government-owned vehicles specially outfitted and used for criminal apprehension law enforcement activities and firefighting and other emergency vehicles.

(3) Privately owned vehicles of Federal judges and Members of Congress. Priority is limited to these individuals for security purposes and does not include members of their staffs.

(4) Government-owned or leased vehicles other than those listed in subparagraphs (1) and (2) of this subparagraph a. These include motor pool dispatch vehicles and vehicles assigned to agencies for general use.

(a) The total number of parking spaces provided for all Government-owned vehicles shall be an amount less than the total number of these vehicles. The type of vehicles involved and the character of the motor pool operation shall determine the ratio of parking spaces to vehicles.

(b) If feasible, areas assigned for Government-owned vehicles may be used during other than early morning or late afternoon hours for visitor and service vehicles or other vehicles as appropriate.

(5) Vehicles of patrons and visitors and service vehicles not accommodated under subparagraph (4)(b) of this subparagraph a. Where required, accommodations will be provided for handicapped visitors.

b. When requested by agencies, the parking spaces not required for "official" parking may be used for EMPLOYEE parking. Under OMB Circular A-118, a monthly fee shall be assessed for all of these parking spaces except where the rate per space is determined to be less than \$10 per month or where a specific exemption has been granted by OMB Circular A-118, paragraph 5. In the assignment of employee parking spaces, the following shall be observed:

(1) Handicapped Government employees for whom assigned parking spaces are necessary shall be given priority over all other employee parking. Nonhandicapped drivers who provide transportation for severely handicapped employees shall also be assigned parking spaces. Handicapped employees who utilize a specially equipped vehicle for commuting shall be exempt from parking fees.

(2) Assignments for other privately owned vehicles of employees of occupant agencies not otherwise accommodated shall be made in accordance with the regulations in paragraph 8.

8. **Priorities for employee parking.** Agencies shall encourage the conservation of energy by taking positive action to increase carpooling.

a. **Assignment of spaces.** In meeting their responsibilities to promote carpooling, agencies shall assign employee parking as follows:

(1) Handicapped employees, as indicated in subparagraph 7b(1).

(2) No more than 10 percent of the total spaces available for employee parking at each facility (excluding the spaces assigned to severely handicapped employees) to executive personnel and/or persons who are assigned unusual hours. Executive personnel should make every effort to carpool.

(3) Vanpools.

(4) Carpools based on the number of members.

Note.—If necessary for operational purposes, an agency may issue on a fee basis a limited number of parking permits to individuals who regularly use their privately owned vehicles for Government business.

These are vehicles used 12 or more workdays per month for Government business for which the employee receives reimbursement for mileage and parking fees under Government travel regulations.

Monthly certification, such as travel vouchers, may be required to establish this entitlement. All individual drivers are urged to carpool whenever possible.

b. **Parking spaces allocated to agencies.** Under most circumstances (see subparagraph c, below, for an exception), available employee parking will be allocated to each agency in proportion to its share of the total building population. The agency, in turn, shall assign spaces to employees using the number of persons in a vanpool/carpool as the primary priority. For the purpose of allocation of parking spaces for carpools, full credit shall be given to any regular member

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regardless of where the member is employed, except that at least one member of the carpool must be a fulltime employee of the agency.

c. *Assignment on a zonal basis.* In the Metropolitan Washington, DC, area and in other major metropolitan areas, to achieve more efficient use of space and equality in the availability of parking for all Federal employees, the Regional Administrator, GSA, may have all parking allocations based on a zonal concept rather than on individual sites. In locations where this method is followed, all agencies located in a zone would compete for the available parking in accordance with instructions issued by the Regional Administrator. In establishing this procedure, the Regional Administrator will consult with all affected agencies.

9. *Two-wheeled vehicles.* Subject to the availability of satisfactory and secure space and facilities, agencies shall reserve areas for the parking of bicycles and other two-wheeled vehicles. Bicycles shall be given special consideration, including storage type space in buildings and improved bicycle locking devices where practical and appropriated funds are available. Bicycles shall not be transported on elevators or via stairways or parked in offices. Two-wheeled vehicles are exempt from employee parking charges.

10. *Regular hours.* Agency managers and supervisors shall make every effort to maintain regular arrival and departure times for all employees. Supervisors are reminded of their prerogative, within overall agency policy, to adjust the scheduled duty hours of individual employees to facilitate carpooling and the use of mass transit.

11. *Charges for employee parking.* a. At all facilities where the monthly rate per space is \$10 or more, employees shall be charged for the parking they are furnished unless specifically exempt (see subparagraph 7b). For parking spaces under the control of GSA, the charging system will overlay the existing Federal Buildings Fund procedure. That is, GSA will assign blocks of parking spaces, both official and employee, to the agencies and assess the appropriate Standard Level User Charge. The agencies shall make their own individual assignments to their employees consistent with the carpooling requirements. Agencies shall collect the fees at the time the permits are issued to the employees. (See paragraph 12.)

b. On July 1 of each year, GSA will furnish each agency a printout listing the monthly parking charge for the next fiscal year at each GSA-controlled facility where the rate per space exceeds \$10. The rates to be charged will be the same as the commercial equivalent value of the spaces determined under the Standard Level User Charge system. Rates for non-GSA-controlled parking may be established by the responsible agency in accordance with 40 U.S.C. 490(k), using generally accepted appraisal techniques. GSA will assist agencies in developing the parking rates for their properties when requested. In this connection, GSA has developed GSA Form 3183, Appraisal of Fair Monthly Parking Rates Per Space, a simplified appraisal form for determining the monthly parking rate.

Paragraph 18 provides information and instructions concerning the availability of GSA Form 3183. Rates must be developed by agencies and submitted to the appropriate GSA regional office (attention: Regional Commissioner, PBS) for approval.

c. For the initial period November 1, 1979, through September 30, 1981, the charges to be collected shall be 50 percent of the full rate scheduled to be collected. The full charge shall be collected beginning October 1, 1981.

d. In communities having several Federal facilities, buildings may be grouped or "zoned" for the purpose of establishing a uniform parking rate for the area rather than a building-by-building charge.

12. *Procedures.* a. *GSA-controlled facilities.* (1) In most instances, GSA will make block allocations of parking spaces to agencies, as indicated in subparagraph 8b, for distribution to their employees. GSA periodically will conduct surveys and review parking space allocations of its facilities to determine the total number of parking spaces available and to make sure that each agency has its fair proportion of parking spaces. The spaces will be reallocated if necessary. Agencies must maintain a breakdown of their official and employee parking assignments at each facility so that this information can be provided to GSA upon request.

(2) Agencies will be responsible for the assignments of space to their employees and for ensuring that fees have been collected in a timely manner for each assignment, or that the assignment has been revoked if necessary. The normal method for assigning employees spaces will be through sale of a monthly permit. An alternate method would be the use of a parking management contract where the operator would be responsible for fee collection. Permits must be used to identify those who are authorized to park and only one permit will be issued to a vanpool/carpool. The fee will be collected in advance, and agencies will be required to have available adequate documentation (e.g., a log) that will show that the monthly fees have been collected from employees for each permit issued.

b. *Non-GSA-controlled facilities.* At non-GSA-controlled facilities, the agency responsible for each facility will allocate employee parking in accordance with OMB Circular A-118 and issue parking permits to employees assigned such parking.

13. *Collection and deposit of fees.* a. Collection of parking fees by agencies shall be handled in accordance with Title 7, Fiscal Procedures, GAO Policy and Procedure Manual, chapter 3, which provides the regulations and instructions applicable to all classes of funds collected by officers and employees of the U.S. Government.

b. The fees collected shall be deposited in accordance with Volume 1-Part 5, Deposit Regulations, Treasury Fiscal Requirements Manual (TFMR), which prescribes the forms and procedures to be observed by all Government departments, agencies, corporations, and others concerned with respect to deposits for credit to the Account of the U.S. Treasury.

c. In developing procedures for the collection and deposit of employee parking fees, agencies should ensure that their

regulations, systems, and procedures comply with the reporting requirements of Volume 1-Part 2, Central Account and Reporting, TFMR, and the cash management policies, Volume 1-Part 6, Chapter 8000, Cash Management, TFMR.

d. Inquiries pertaining to the development and implementation of procedures and regulations pursuant to the TFMR's should be directed to the appropriate Department of the Treasury activity referenced in each TFMR chapter.

14. *Appeals.* Formal appeal of the rates established for employee parking may be filed by agencies in accordance with § 101-21.606(c). For properties not under the control of GSA, an appeal of the parking rate may be made directly by an employee to the employee's agency.

15. *Comments.* Comments concerning this regulation may be submitted to the General Services Administration (PR), Washington, DC 20405, until March 31, 1980.

16. *Effect on other directives.* This temporary regulation supersedes §§ 101-20.111-2, 101-20.111-2a, 101-20.117-1, and 101-20.117-2 of Subchapter D of the Federal Property Management Regulations to bring them into conformance with OMB Circular A-118.

17. *Reports.* The report required by this section has been cleared in accordance with FPMR 101-11.11 and assigned interagency report control number 0225-GSA-AR.

18. *Availability of GSA Form 3183.* Agencies may obtain their initial supply of the appraisal form referred to in subparagraph 11b from General Services Administration (WDRDD), Union and Franklin Streets Annex, Building 11, Alexandria, VA 22314. Agency field offices should submit all future requirements to their Washington headquarters office which will forward consolidated annual requirements to the General Services Administration (HRM), Washington, DC 20405. An initial distribution of the form will be made to all GSA regional offices for their use and additional supplies of the form should be obtained in the usual manner.

Dated: September 6, 1979.

R. G. Freeman III,
Administrator of General Services.

(FR Doc. 79-28603 Filed 9-12-79; 8:45 am)

BILLING CODE 6820-23-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA 5694]

List of Communities With Special Hazard Areas Under the National Flood Insurance Program

AGENCY: Federal Insurance
Administration, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies communities with areas of special flood, mudslide, or erosion hazards as

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OLC 79-1431/3

19 September 1979

MEMORANDUM FOR: See Distribution

STAT FROM :
Chief, Legislation Division, OLC

SUBJECT : Parking

1. As agreed to during our meeting on 13 September, OLC representatives met with Nicholas Stoer of the Office of Management and Budget on 18 September. We explained our concerns with the OMB Parking Circular, using arguments with which you are familiar.

2. OMB is not inclined to adjust the Circular to make it track provisions in the Amendment in the Nature of a Substitute to S. 930 which would solve our problems at the Headquarters Compound and other outlying areas. In fact, we learned that OMB has been aware of the differences between the Circular and the Bill, and has been attempting to have the Bill altered to track with the Circular.

3. We next discussed amendments to the Circular itself, and we proposed the attached changes to paragraph 11 (new material underlined). Stoer appeared to be in agreement with the proposition that the DCI needed to have flexibility in implementing the Circular, but he did not seem enthusiastic about actually amending the Circular so soon after its promulgation. Stoer said he would take the matter up the line at OMB.

4. We propose to give Stoer a few days to get back to us; if his answer is unsatisfactory we will probably propose that the attached requested changes be forwarded to OMB Director McIntyre under DCI or DDCI signature. We understand, however, that preliminary research by OGC indicates that it may be possible for the Agency to administer the Circular with at least as much flexibility as called for in the attached proposed amendments (and perhaps claim non-applicability altogether) because of CIA exemption from the Federal Procurement Management Regulations upon which the Circular and the implementing GSA regulations rest. If this is in fact a viable option we may not have to press for amendment to the Circular.

11. Intelligence and Military Installations: This Circular recognizes the unique problems involved in administering and charging for the use of parking spaces at intelligence installations and at dispersed facilities on certain military installations. The Director of Central Intelligence shall implement this Circular and the GSA regulations issued in conformance with it to the fullest extent possible consistent with cover, security and other intelligence-related considerations. The Secretary of Defense shall establish regulations at non-GSA controlled military installations consistent with this Circular and the GSA regulations issued in conformance with this Circular. The Director of Central Intelligence and the Secretary of Defense may adjust fee schedules and regulations at those portions of installations where practical considerations of installation geography, intelligence considerations, or conditions of military readiness require modifications, while preserving as much as possible the monetary and administrative incentives necessary to conserve energy through substantial reductions in the use of commuter automobiles, particularly those with only one occupant.

ROUTING AND TRANSMITTAL CLIP

Date

9/14/79

TO: (Name, office symbol, room number,
building, Agency/Post)

Initials

Date

1.

2.

3.

4.

5.

✓ 17 SEP 1979

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Attached per your telecon request this afternoon, is a copy of the legislative proposal on parking. I believe you said you already had the basic legislation (S-930).

 DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.
4E20, Hqs.

5041-102

O/Compt

OPTIONAL FORM 41 (Rev. 7-76)

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FPMR (41 CFR) 101-11.206